

JAN 03 2012

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA §

v. §

JUAN ROBERTO RINCON-RINCON § CRIMINAL NO. B - 12 - 005
AKA: X-5
AKA: PRIMO §

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

From at least in or about January 2002 to on or about October 26, 2011, in the Southern District of Texas and elsewhere within the jurisdiction of the Court,

**JUAN ROBERTO RINCON-RINCON
AKA: X-5
AKA: PRIMO**

defendant herein, did knowingly and intentionally conspire and agree with persons known and unknown to the grand jury, to possess with intent to distribute controlled substances. The overall scope of the conspiracy involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 1,000 kilograms or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).

COUNT TWO

From at least in or about January 2002 to on or about October 26, 2011, in the Southern District of Texas and elsewhere within the jurisdiction of the Court,

**JUAN ROBERTO RINCON-RINCON
AKA: X-5
AKA: PRIMO**

defendant herein, did knowingly and intentionally conspire and agree with persons known and unknown to the grand jury, to import into the United States from the United Mexican States controlled substances. The overall scope of the conspiracy involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 1,000 kilograms or more of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and (b)(1), and 963.

NOTICE OF CRIMINAL FORFEITURE

Pursuant to 21 U.S.C. § 853, as a result of the commission of a violation of 21 U.S.C. § Sections 846, 841(a)(1) and 841(b)(1)(A) as alleged in Count 1, and a violation of 21 U.S.C. § 952(a), 960(a)(1) and (b)(1), and 963, as alleged in Count 2, or any combination of violations, notice is given that Defendant

JUAN ROBERTO RINCON-RINCON,

shall forfeit to the United States:

- (1) all property constituting or derived from any proceeds obtained directly or indirectly as the result of such violation, and
- (2) all property used or intended to be used in any manner or part to commit or to facilitate the commission of such violation,

The above forfeiture includes, but is not limited to \$20,000,000.00 and all lesser included amounts in United States currency

In the event that the property which is subject to forfeiture to the United States, as a result of any act or omission of the defendant:

- (1) cannot be located upon exercise of due diligence,
- (2) has been placed beyond the jurisdiction of the Court,
- (3) has been transferred to, sold to, or deposited with a third party,
- (4) has been substantially diminished in value, or
- (5) has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of such property, pursuant to 21 U.S.C. §853(p).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON
UNITED STATES ATTORNEY



ANGEL CASTRO
Assistant United States Attorney